

# DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

## PROPOSED TEXT

TITLE 13, CALIFORNIA CODE OF REGULATIONS  
CHAPTER 10, INTERNAL AFFAIRS  
AMEND ARTICLE 1, SECTION 1800

### CONFLICT OF INTEREST CODE (CHP-R-01-07)

*Existing text:*..... Times New Roman 12 point font.  
*Additions:* ..... Times New Roman 12 point font with single underline.  
*Deletions:* ..... ~~Times New Roman 12 point font with strikethrough~~

**NOTE TO PUBLISHER/READERS:** For consistency, the style of all titles following the lower case alphas [(a), (b), (c), etc.] have been modified. The former style was, for example “(a) Design.”; the proposed style is “(a) *Design.*” Since the change is just to the text style (normal to bold italicized text) underlines have not been used to indicate this change. Only in the case of actual additions or deletions has the underline and strikeout been used. Please recognize that italicized text is a format change and that it should be updated in the printed document.

**Title 13, California Code of Regulations  
Chapter 10, Internal Affairs  
Article 1, Conflict of Interest Code  
Section 1800, Conflict of Interest Code for the California Highway Patrol  
is amended to read:**

**1800. Conflict of Interest Code for the California Highway Patrol.**

The Political Reform Act, Government Code Sections 81000, et seq., requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Regs. Section 18730, which contains the terms of a standard Conflict of Interest Code, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings. Therefore, the terms of 2 Cal. Code of Regs. Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission, along with the attached appendix in which officials and employees are designated and disclosure categories are set forth, are hereby incorporated by reference and constitute the Conflict of Interest Code of the California Highway Patrol.

Designated employees shall file statements of economic interests with the agency who will make the statements available for public inspection and reproduction (Government Code Section 1008). Upon receipt of the statement of the Commissioner, the agency shall make and retain a copy and forward the original of this statement to the Fair Political Practices Commission. Statements for all other designated employees will be retained by the agency.

Note: Authority cited: Section 2402, Vehicle Code; and Section 87800, Government Code.  
Reference: Section 87300, Government Code.

## APPENDIX

<b><i>Designated Positions</i></b>	<b><i>Assigned Disclosure Categories</i></b>
Commissioner.....	1
Deputy Commissioner.....	1
Assistant Commissioner, Field.....	1
Assistant Commissioner, Staff.....	1
Executive Assistants of Assistant Commissioners.....	1
In-House Counsel.....	1
Commander, Office of Public Affairs .....	1

<b><u>Designated Positions</u></b>	<b><u>Assigned Disclosure Categories</u></b>
Commander, Office of Special Representative .....	1
Chief of Governor's Security .....	<u>1</u>
Commander and Assistant Commander of the following Divisions:	
Administrative Services Division .....	2
Enforcement Services Division.....	2
Information Management Division .....	2
Professional Standards Division. ....	2
Protective Services Division .....	2
<u>Planning and Analysis Division.....</u>	<u>2</u>
Commanders of the following offices and sections:	
Accounting Section .....	2

Budget Section .....	2
Facilities Section .....	2
Network Management Section .....	2
Office of Dignitary Protection .....	2
Office of Organization Development .....	2
Office of Research and Planning .....	2
Office of Special Projects .....	2
Software Development and Support Section .....	2
Telecommunications Section .....	2
Uniformed staff (except the Commander) of the Office of Special Representative .....	2
Chiefs and Assistant Chiefs of Field Divisions .....	3
Area Commanders .....	3
Special Services Commanders in Field Divisions .....	3

**Designated Positions**

**Assigned  
Disclosure  
Categories**

Commanders of the following:

Office of Capitol Services Protection .....	4
<del>Office of Court Services .....</del>	<del>4</del>
Office of Equal Employment Opportunity .....	4
Office of Employee Relations .....	4
<u>Office of Judicial Protection .....</u>	<u>4</u>
Chief and Assistant Chief, Personnel and Training Division .....	4

The following Business Services Section Employees:

<u>Coordinator, Small Business Advocacy Unit .....</u>	<u>4</u>
Supervisor, Purchasing Unit .....	4
Supervisor, Purchasing Services .....	4
Coordinator, Warehouse Supply .....	4
Supervisor, Contract Management Unit .....	4
Employees, Contract Management Unit .....	4

Commanders of the following:

Academy.....	4
<del>Audit and Evaluation Section.....</del>	<del>4</del>
Business Services Section .....	4
Health and Safety Section .....	4
Internal Affairs Section .....	4
Motor Transport Section .....	4
Personnel Services Section .....	4
Program Management Section .....	4
<u>Risk Management Section.....</u>	<u>4</u>
Selection Standards and Examinations Section .....	4
Support Services Section.....	4
Commercial Vehicle Section.....	5
<u>Community Outreach and Partnerships Section.....</u>	<u>5</u>
Field Services Section .....	5
Investigative Services Section.....	5
Office of Air Operations .....	5
Lieutenants and sergeants assigned to permanent positions in CHP headquarters unless otherwise specified in the Appendix .....	5
Consultant* .....	1

\*Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the Code subject to the following limitations:

The Commissioner may determine in writing that a particular consultant, although a “designated person,” is hired to perform a range of duties that are limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant’s duties and, based upon that description, a statement of the extent of disclosure requirements. The Commissioner’s determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code. Nothing herein excuses any such consultant from any other provision of this Conflict of Interest Code.

## **DISCLOSURE CATEGORIES**

### ***Category 1***

Designated employees in Category 1 shall report:

- (a) All investments;
- (b) All interests in real property;
- (c) All income; and
- (d) All business positions held in any business entities.

### ***Category 2***

Designated employees in Category 2 shall report:

- (a) All interests in real property;
- (b) Any investments in, business positions with, and income from, any source that:
  - (1) Within the previous two years has done business, is currently doing business, or plans to do business with the California Highway Patrol to provide services, equipment, leased space, materials, or supplies.
  - (2) Is a commercial motor carrier, an operator of motor vehicles for hire, or an operator of motor vehicles used for commercial purposes.
  - (3) Is a manufacturer or vendor of motor vehicles or aircraft and automotive or aircraft parts, accessories, or supplies.

### ***Category 3***

Designated employees in Category 3 shall report items stipulated in Category 2 if:

- (a) The real property, investments, business entities, or other sources of income are located within the boundaries of the designated employee's geographical area of departmental responsibility; and/or
- (b) The business entities are doing, plan to do, or within the last two years have done, business in that geographical area.

### ***Category 4***

Designated employees in Category 4 shall report investments and business positions in any business entity and income from any source of the type that has provided during the two years preceding the filing of this report, or is currently providing, or planning to provide the California Highway Patrol with services, equipment, leased space, materials, or supplies.

### ***Category 5***

Designated employees in Category 5 shall report:

Investments in any organization and business positions in any business entity and income from any source that,

- (a) is subject to inspection, regulation, licensing, or certification by the California Highway Patrol; or
- (b) is a manufacturer or vendor of motor vehicles or aircraft and automotive or aircraft parts, accessories, or supplies.

NOTE: Authority cited: Section 2402, Vehicle Code; and Section 87300, Government Code.  
Reference: Section 87300, Government Code.